IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No. 404-M of 2007

DATE OF DECISION: FEBRUARY 26, 2007

Ravinder Kumar

...PETITIONER

*VERSUS*

State of Punjab

...RESPONDENT

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr. J.S.Lali, Advocate,
for Mr.K.S.Ahluwalia, Advocate,
for the petitioner.
Mr.N.S.Gill, AAG, Punjab.

...

Petitioner Ravinder Kumar apprehending his arrest in pursuance of the non-bailable warrants issued by the trial court in case FIR No.126 dated 4.10.2003 registered under Sections 15/61/85 of the NDPS Act at Police Station Budhlada, District Mansa, has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail.

While issuing notice of motion on January 9, 2007, the arrest of the petitioner was stayed subject to the condition that he will appear before the trial court and furnish his fresh regular bail bonds to its satisfaction.

I have heard the counsel for the parties.

Counsel for the petitioner contends that the petitioner was arrested in the aforesaid case along with his co-accused Gulshan Kumar alias Gulshi for possessing 10 Kgs. of poppy husk without licence. Thereafter, he was released on regular bail. Counsel contends that the petitioner was regularly appearing in the said case, but on 10.5.2006, he could not appear before the court and his bail bonds were cancelled. It is the case of the petitioner that he is a drug addict and was admitted to Disha Drug Counselling and Rehabilitation Centre Disha Foundation, Mohali for treatment, due to which he could not appear before the trial court on the date fixed. Counsel further contends that in terms of the interim order dated January 9, 2007, the petitioner had appeared before the trial court and

furnished his fresh bail bonds which have been accepted and attested and since then he is regularly appearing. Counsel for the respondent-State on instructions from HC Didar Singh, does not dispute this fact.

In view of the above, the interim order dated January 9, 2007 is made absolute.

Disposed of accordingly.

February 26, 2007 (SATISH KUMAR MITTAL)
vkg JUDGE